

1 THE O'MARA LAW FIRM, P.C.
David C. O'Mara, Esq (SBN 08599)
2 311 E. Liberty St.
3 Reno, NV 89501
Telephone: (775)323.1321
4 Facsimile: (775) 323.4082
E-mail: david@omaralaw.net

5
6 GLANCY PRONGAY & MURRAY LLP
Lionel Z. Glancy (SBN 134180)
7 Marc L. Godino (SBN 182689)
Danielle L. Manning (SBN 313272)
8 1925 Century Park East, Suite 2100
Los Angeles, California 90067
9 Telephone: (310) 201-9150
Facsimile: (310) 201-9160
10 E-mail: info@glancylaw.com

11 GREENSTONE LAW APC
12 Mark S. Greenstone (SBN 199606)
1925 Century Park East, Suite 2100
13 Los Angeles, California 90067
Telephone: (310) 201-9156
14 Facsimile: (310) 201-9160
15 E-mail: mgreenstone@greenstonelaw.com

16 *Attorneys for Plaintiff Jessica DeMesa*
17 *(Other counsel listed on Signature Page)*

18 **UNITED STATES DISTRICT COURT**
19 **DISTRICT OF NEVADA**

20 JESSICA DEMESA, as an individual and on
behalf of all others similarly situated, ,

21 Plaintiff,

22 v.

23 TREASURE ISLAND LLC, ,

24 Defendant.
25
26
27
28

Case No. 2:18-cv-02007-JAD-CWH

**STIPULATION AND ORDER SETTING
BRIEFING SCHEDULE FOR RESPONSE
TO AMENDED COMPLAINT**

(Second Request)

1 Plaintiff Jessica Demesa and Defendant Treasure Island, LLC, by and through their
2 respective counsel, hereby stipulate and agree as follows:

3 1. Plaintiff filed this action on October 17, 2018 (ECF No. 1). Service of the
4 Complaint and Summons was made on Defendant through its general counsel on November 2,
5 2018 (ECF No. 5).

6 2. Plaintiff and Defendant entered into a Stipulation to extend time for Defendant's
7 response to Plaintiff's Complaint (ECF No. 6). In connection therewith, the Court entered an
8 Order granting Defendant up to and including December 10, 2018 to file a response to Plaintiff's
9 Complaint (ECF No. 7).

10 3. Defendant filed its Motion to Dismiss Complaint, or in the Alternative, for a Stay
11 on December 10, 2018 (ECF No. 16), to which Plaintiff's response was due on December 24,
12 2018, just before the long holiday season. Defendant also filed its Motion to Stay Discovery
13 Pending Resolution of Defendant's Motion to Dismiss on December 10, 2018 (ECF No. 17), to
14 which Plaintiff's response was due on December 24, 2018, again, just before the long holiday
15 season. In light of the foregoing, the parties filed a stipulation and order extending Plaintiff's
16 deadline to file her response to both motions up to and including January 18, 2019, and
17 Defendant's time to file its replies in support thereof up to and including February 11, 2019, which
18 the Court entered (ECF No. 25).

19 4. Plaintiff has informed Defendant that Plaintiff intends to file an Amended
20 Complaint on Friday, January 18, 2019, in response to the Motion to Dismiss, or in the
21 Alternative, for a Stay. Plaintiff has also informed Defendant that Plaintiff is willing to stipulate
22 that discovery be stayed until the case is at issue (*i.e.*, if and when Defendant files its answer) (the
23 parties are concurrently filing a separate stipulation for the Magistrate Judge's signature as to the
24 discovery stay). The parties agree that the filing of an Amended Complaint moots both pending
25 motions. The parties further anticipate that Defendant will be filing a renewed Motion to Dismiss,
26 or in the Alternative, for a Stay, in response to the Amended Complaint. It is anticipated that this
27 briefing will raise complex procedural and substantive issues as well as a constitutional question.

1 5. In consideration of the foregoing, counsel for the parties have agreed, subject to
2 Court approval, to the following schedule for Defendant's response to the Amended Complaint:

- 3 • February 25, 2019: Defendant's responsive pleading to Amended Complaint due;
4 • March 18, 2019: Plaintiffs opposition brief due, in the event Defendant files a
5 renewed motion to dismiss and/or stay; and
6 • April 1, 2019: Defendant's reply brief due.

7 6. The slightly extended briefing schedule set forth above is requested in light of the
8 complexity of the issues it is anticipated Defendant's response to the Amended Complaint will
9 raise and their case-dispositive nature, which requires careful analysis and extensive briefing.

10 //

11 //

12 //

13 //

14 //

15 //

16 //

17 //

18 //

19 //

20 //

21 //

22 //

23 //

24 //

25 //

26 //

27 //

28 [signatures on following page]

7. This is the second stipulation for such an extension of time and is made in good faith not for purposes of delay.

DATED this 17th day of January, 2019.

THE O'MARA LAW FIRM, P.C.

BALLARD SPAHR LLP

By: /s/ David C. O'Mara
David C. O'Mara, Esq.
Nevada Bar No. 8599
311 East Liberty Street
Reno, Nevada 89501

By: /s/ Stacy H. Rubin
Joel E. Tasca, Esq.
Nevada Bar No. 14124
Stacy H. Rubin, Esq.
Nevada Bar No. 9298
1980 Festival Plaza Drive, Suite 900
Las Vegas, Nevada 89135

Lionel Z. Glancy (admitted pro hac vice)
Marc L. Godino (admitted pro hac vice)
Danielle L. Manning (admitted pro hac vice)
1925 Century Park East, Suite 2100
Los Angeles, California 90067
Telephone: (310) 201-9150
Facsimile: (310) 201-9160
E-mail: info@glancylaw.com

Attorneys for Defendant

GREENSTONE LAW APC
Mark S. Greenstone (admitted pro hac vice)
1925 Century Park East, Suite 2100
Los Angeles, California 90067
Telephone: (310) 201-9156
Facsimile: (310) 201-9160
E-mail: mgreenstone@greenstonelaw.com

Attorneys for Plaintiff

**ORDER GRANTING STIPULATION TO EXTEND BRIEFING DEADLINES
REGARDING DEFENDANT'S (1) MOTION TO DISMISS COMPLAINT, OR
ALTERNATIVE, FOR A STAY; AND (2) MOTION TO STAY DISCOVERY PENDING
RESOLUTION OF DEFENDANT'S MOTION TO DISMISS**

IT IS SO ORDERED.

DATED: January 23, 2019


UNITED STATES MAGISTRATE
JUDGE